

Appl. No. 10/821,052
Amdt. date May 14, 2007
Reply to Office action February 14, 2007

REMARKS

Claims 1-4, 11 and 14-18 are pending in the application. Claims 1-4, 11 and 14-18 stand rejected. Claims 1, 10, are 11 independent claims. The remaining claims depend either directly or indirectly from the independent claims.

Claims 1, 1, 10, are 11 have been amended in this response. No claims have been added. Claims 2-3, 7-9, 12-13 and 16-18 are cancelled. No new matter has been added. Applicant respectfully requests reconsideration of the pending claims in light of these amendments and the following remarks.

Claim 1 (Currently Amended) A method for accurately conveying wireless connection availability through a tower in a defined area comprising the steps of:

- determining the maximum capacity of the tower;
- establishing multiple a threshold capacity levels of the tower;
- monitoring the calling activity through the tower by maintaining a constant count of the number of wireless devices that are connected through a specific tower;
- detecting when the calling activity has exceeded an the established threshold capacity level for that tower;
- determining a threshold level that is the closest level to the determined calling capacity that has been exceeded by the determined calling capacity; and
- broadcasting a connection availability message to wireless devices in the area of the tower based on the detecting calling activity resulting from a maintained count of number of wireless devices connected through a specific tower. the broadcasted connection availability message corresponding to that closest threshold level that is exceeded by the detected calling activity.

Claim 2 (Canceled)

Claim 3 (Canceled)

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Claim 4 (Previously presented) The method as described in claim 1 further comprising after said broadcasting step, the steps of receiving and displaying the broadcasted message at a wireless device in the area of the tower.

Claim 5 (Original) The method as described in claim 4 wherein the display of the broadcasted message is a period event on the wireless device that corresponds to content of the calling availability through that tower.

Claim 6 (Canceled)

Claim 7 (Canceled)

Claim 8 (Canceled)

Claim 9 (Canceled)

Claim 10 (Currently Amended) A system and system for accurately conveying wireless connection availability comprising:

a telephone tower for use in connecting wireless devices;

a software routine within the telephone tower, said software routine capable of maintaining a count of the number of devices that are connected through the tower, of detecting when the number of devices connected via the tower exceed a predetermined threshold level, determining a threshold level from multiple established threshold levels that is the closest level to the determined calling capacity that has been exceeded by the determined calling capacity; and a of broadcasting a message to wireless devices in the area related to the connection availability through that tower;

a wireless device for use in communicating via the telephone control tower; and

software within the wireless device for receiving and displaying connection availability via the tower.

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Claim 11 (Currently Amended) A computer program product stored in a computer readable medium for accurately conveying wireless connection availability through a tower in a defined area comprising:

instructions for determining the maximum capacity of the tower;

instructions for establishing multiple a threshold capacity levels of the tower;

instructions for monitoring the calling activity through the tower by maintaining a constant count of the number of wireless devices that are connected through a specific tower; and

instructions for detecting when the calling activity has exceeded an the established threshold capacity level for that tower;

instructions for determining a threshold level that is the closest level to the determined calling capacity that has been exceeded by the determined calling capacity;
and

instructions for broadcasting a connection availability message to wireless devices in the area of the tower based on the detecting calling activity resulting from a maintained count of number of wireless devices connected through a specific tower, the broadcasted connection availability message corresponding to the particular threshold level that is exceeded by the detected calling activity.

Claim 12 (Canceled)

Claim 13 (Canceled)

Claim 14 (Previously presented) The computer program product as described in claim 11 further comprising after said broadcasting instructions, instructions for receiving and displaying the broadcasted message at a wireless device in the area of the tower.

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Claim 15 (Previously presented) The computer program product as described in claim 11 wherein said threshold establishing instructions further comprise instructions for establishing multiple threshold levels.

Claim 16 (Canceled)

Claim 17 (Canceled)

Claim 18 (Canceled)